

JUDGE FRANKLIN D. BURGESS

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,	)	NO. CR06-5202FDB
	)	
Plaintiff,	)	
	)	ORDER GRANTING STIPULATED
vs.	)	MOTION TO CONTINUE
	)	SUPPRESSION HEARING AND
VERNON ROBERT GRIFFIN,	)	TRIAL DATE
	)	
Defendant.	)	
	)	

Based on the stipulated motion of the parties to continue the suppression hearing and the trial date, the Court makes the following findings of fact and conclusions of law:

1. The ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

2. Proceeding to trial absent adequate time for the defense to prepare would result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(I).

3. The defense needs additional time to explore issues of some complexity, including all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(8)(B)(ii).

1 4. Taking into account the exercise of due diligence, a continuance is necessary  
2 to allow the defendant the reasonable time for effective preparation his defense. 18  
3 U.S.C. § 3161(h)(8)(B)(iv).

4 NOW, THEREFORE,

5 IT IS HEREBY ORDERED that the trial date is continued from August 14, 2006  
6 to October 16, 2006. The resulting period of delay from August 14, 2006, up to and  
7 including the new trial date of October 16, 2006, is hereby excluded for speedy trial  
8 purposes under 18 U.S.C. § 3161(h)(8)(A) and (B).

9 Pre-trial motions are due no later than August 22, 2006.

10 Pre-trial conference shall be on October 5, 2006, at 2:00 pm.

11 The evidentiary hearing on Defendant's motion to suppress will be rescheduled  
12 under separate Order of the Court.

13 DONE this 31<sup>st</sup> day of July, 2006.

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17 FRANKLIN D. BURGESS  
18 UNITED STATES DISTRICT JUDGE

19 Presented By:

20 s/ Colin Fieman  
21 Attorney for Defendant

22 s/ Gregory Gruber  
23 Assistant United States Attorney